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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/775,886 Confirmation No. 1418

Applicant : N. MATSUNAMI et al

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Title : STORAGE DEVICE

TC/AU : 2188

Examiner : K. Patel

Docket No. : H-1210

Customer No.: 24956

Commissioner for Patents  
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P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF**

Sir:

In response to the Notification of Non-Compliant Brief dated August 8, 2007, Applicants hereby resubmit the CLAIMS APPENDIX, which cures the deficiencies pointed out in CLAIMS APPENDIX filed on July 5, 2007 with the Appeal Brief. The Examiner is hereby invited to contact the undersigned by telephone if any other changes are required.

**SUBSTITUTE CLAIMS APPENDIX** is attached beginning on page 2 of this paper.

**Remarks** begin on page 9 of this paper.

**VIII. CLAIMS APPENDIX**

1-31. (Canceled).

32. (Previously Presented) A method for migrating a file according to claim 39, wherein in the second system, another file name, which is different from an original file name of the file used in the first system, is used to identify the file, and wherein the another file name used in the second system is further left in the first system.

33. (Previously Presented) A method for migrating a file according to claim 32, wherein the information indicating the migration destination of the file, the information indicating the application creating the file and setting the policy, and the another file name used in the second system are accessible by using the original file name.

34. (Previously Presented) A method for migrating a file according to claim 33, wherein after migrating the file, if the first file access controller receives a file access request including the original file name, the first file access controller sends the second file access controller another file access request including the another file name used for the file in the second system.

35. (Previously Presented) A method for migrating a file according to claim 39, wherein information indicating a size of the file, access permission to the file, and creation date of the migrated file are further left in the first system.

36. (Previously Presented) A method for migrating a file according to claim 39, wherein the first file access controller and the second file access controller are configured to provide an access to a file according to Network File System or Common Internet File System protocol.

37. (Previously Presented) A method for migrating a file according to claim 39, wherein in the step of migrating the file is read from the first file system, a write request to store the file in the second file system is transmitted to the second system, and the second file access controller writes the file according to the write request.

38. (Previously Presented) A method for migrating a file according to claim 37, wherein the write request transmitted to the second system is according to Network File System or Common Internet File System protocol.

39. (Previously Presented) A method for migrating a file between a first system and a second system, wherein the first system includes a first file access controller, a first storage controller, and a plurality of first magnetic disk devices, and the first file access

controller receives a file access request from a computer and controls to access a file according to the file access request, and

wherein the second system includes a second file access controller, a second storage controller, and a plurality of second magnetic disk devices, and the second file access controller receives a file access request and controls to access a file according to the file access request,

the method comprising steps of:

at the first system, receiving an open request from the computer for storing a file in the first system, the open request including information of a policy, which is set by an application creating the file;

storing the file in the first system;

migrating the file from the first system to the second system according to the policy; and

leaving information indicating a migration destination of the file and information indicating the application creating the file and setting the policy in the first system.

40. (Previously Presented) A method for migrating a file according to claim 39,

wherein in the plurality of first magnetic disk devices, a first logical unit is configured,

wherein in the step of migrating, data of the file is migrated from the first logical unit to the second system, and

wherein in the step of leaving, the information indicating the migration destination of the file and the information indicating the application creating the file and setting the policy are left in the first logical unit, from which data of the file is migrated to the second system.

41. (Previously Presented) A system for storing a file comprising:

a first system including a first file access controller and a first storage system, wherein the first storage system has a plurality of first magnetic disk devices and a first storage controller coupled to the plurality of first magnetic disk devices, and the first file access controller manages a first file system configured in the first system, receives a file access request, and controls to access a file according to the file access request, and

a second system including a second file access controller and a second storage system, wherein the second storage system has a plurality of second magnetic disk devices and a second storage controller coupled to the plurality of second magnetic disk devices, and the second file access controller manages a second file system configured in the second system, receives a file access request, and controls to access a file according to the file access request,

wherein the first file access controller receives an open request for storing a file in the first system from a computer, the open request including information of a policy set for the file by an application creating the file, stores the file in the first storage system, and manages the information of the policy set for the file,

wherein when the file stored in the first system satisfies a condition of the policy, the file is migrated from the first system to the second system, and

wherein information indicating a migration destination of the file and information indicating the application creating the file and setting the policy remain stored in the first system.

42-43. (Canceled).

44. (Previously Presented) A system for storing a file according to claim 41,

wherein under the control of the first storage controller, a first logical unit is configured in the plurality of first magnetic disk devices,

wherein under the control of the second storage controller, a second logical unit is configured in the plurality of second magnetic disk devices,

wherein data of the file is migrated from the first logical unit to the second logical unit, and

wherein the first storage system stores the information indicating the migration destination of the migrated file and the information indicating the application creating the file and setting the policy in the first logical unit, from which the data of the file is migrated to the second logical unit.

45. (Previously Presented) A system for storing a file according to claim 41,

wherein in the second system, another file name, which is different from an original file name of the file used in the first system, is used to identify the migrated file, and

wherein the another file name remains stored in the first system.

46. (Previously Presented) A system for storing a file according to claim 45, wherein the information indicating the migration destination of the migrated file, the information indicating the application creating the file and setting the policy and the another file name are accessible by using the original file name.

47. (Previously Presented) A system for storing a file according to claim 46, wherein after a migration of the file, when the first file access controller receives a file access request including the original file name of the migrated file, the first file access controller sends another file access request including the another file name of the file to the second system.

48. (Previously Presented) A system for storing a file according to claim 41, wherein information indicating a size of the file, access permission to the file, and creation date of the file further remain stored in the first system.

49. (Previously Presented) A system for storing a file according to claim 41,

wherein the first file access controller and the second file access controller are configured to provide an access to a file according to Network File System or Common Internet File System protocol.

50. (Previously Presented) A system for storing a file according to claim 41, wherein when the file is migrated from the first system to the second system, the first file access controller reads the file from the first file system, and transmits a write request to the second system to store the file in the second file system, and the second file access controller writes the file according to the received write request.

51. (Previously Presented) A system for storing a file according to claim 50, wherein the write request transmitted from the first file access controller to the second system is according to Network File System or Common Internet File System protocol.

52-53. (Canceled).

Response to Notice of Non-Compliant Brief dated August 10, 2007  
Notice of Non-Compliant Appeal Brief dated August 8, 2007

**REMARKS**

In response to the Notification of Non-Compliant Appeal Brief, the CLAIMS APPENDIX is being resubmitted to cure the inadvertent omission of claim 44. Claims 32-41 and 44-51 remain pending in the application. This response supplements the Appeal Brief filed on July 5, 2007.

The Commissioner is hereby authorized to charge Deposit Account No. 50-1417 for any fees that are deemed necessary.

Respectfully submitted,

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